

Adjournment

Senator Metcalfe moved that the Senate adjourn until 10:00 o'clock a. m., Monday, April 17, 1939.

Senator Nelson moved that the Senate recess to 2:00 o'clock p. m. today.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—14

Brownlee	Lemens
Burns	Metcalfe
Collie	Moffett
Cotten	Pace
Graves	Roberts
Hill	Shivers
Isbell	Weinert

Nays—7

Aikin	Spears
Moore	Stone
Nelson	of Galveston
Small	Winfield

Absent

Head	Stone
Kelley	of Washington
Lanning	Sulak
Redditt	Van Zandt

Absent—Excused

Beck	Martin
Hardin	

The Senate, accordingly, at 12:22 o'clock p. m., adjourned until 10:00 o'clock a. m., next Monday, April 17, 1939.

APPENDIX**Reports of Committees on Engrossed and Enrolled Bills**

Austin, Texas,
April 12, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 36 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 11, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 216 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 11, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bills Nos. 141, 426, 111, 13, 269, 365, 401, 313, 352, 429, 181, 431, 425, 421, 350, 430, 207, 262, 268, 140, and 28 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
April 13, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had Senate Bills Nos. 392 and 19, and S. C. R. No. 14 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
April 14, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 6 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

FIFTY-SECOND DAY

(Monday, April 17, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Beck
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Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Small
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent

Shivers

Absent—Excused

Hill

Spears

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 14, 1939, was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Spears was granted leave of absence for today, on account of important business, on motion of Senator Pace.

Senator Hill was granted leave of absence for today, on account of important business, on motion of Senator Aikin.

House Concurrent Resolution 98

The following resolution, previously received from the House, was laid before the Senate:

H. C. R. No. 98, Recalling House Bill No. 310 from the Governor's office.

The resolution was read; and by unanimous consent, it was considered at this time and was adopted.

Bills and Resolutions Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills and resolutions:

H. B. No. 142, "An Act providing that persons, firms, or corporations,

who operate or conduct hotels, cafes, restaurants, dining cars, or other public eating places, bakeries, and meat markets in this State, shall not work, employ or keep in their employ any person who is infected with or affected by any infectious or contagious disease; and further providing that such persons, firms, or corporations or common carriers, operating or conducting any public eating place heretofore named or operating any bakery, or meat market, public dairy or dairies, of manufacturers of and vendors of candies or manufactured sweets, shall have made a medical inspection of all their employes at intervals of not more than six (6) months, and if such examination discloses the fact that any person in their employment is infected with or affected by any infectious or contagious disease, that such person shall be promptly discharged from such employment; providing it shall be unlawful for manufacturers or vendors of candies and manufactured sweets to consign, sell or furnish in any way said candies and manufactured sweets to individuals for the purpose of resale at their private residences who do not display valid health certificates for each member of the household and sanitary display showcases; etc, and declaring an emergency"

H. B. No. 84, "An Act so as to make it unlawful for any person to place, set, drag or use any seine, net or other device for taking fish and shrimp other than the ordinary pole and line, casting rod and reel, artificial bait, trot line, set line or cast net with a spread of not more than nine (9) feet, or a minnow seine of not more than twenty (20) feet in length for catching baits or have in his possession any seine, net or trawl without a permit issued by the Game, Fish and Oyster Commission, in or on the waters of Matagorda Bay east of the Colorado River, providing for the use of spear or gig and light for taking flounder in these waters, repealing all laws or parts of laws in conflict herewith, providing when this Act shall take effect; providing for confiscation of nets, seines and other tackle for evidence and providing for penalties, and declaring an emergency."

H. B. No. 564, "An Act amending Subdivision (b) of the first paragraph of Article 2529 of the Revised Civil Statutes of Texas, amended by Acts

of 1937, Forty-fifth Legislature, page 319, Chapter 164, Section 1, so as to henceforth include within its provisions bonds issued by the Federal Farm Mortgage Corporation and consolidated Federal Land Bank bonds, declaring that all laws in conflict herewith are hereby repealed, fixing the effective date of this Act, and declaring an emergency."

H. B. No. 461, "An Act providing for the amount of salary that may be paid by County Boards of Trustees to the County Superintendent of Public Instruction in counties with a population of not less than eighteen thousand, seven hundred and sixty (18,760) and not more than eighteen thousand, nine hundred and sixty (18,960), according to the last preceding Federal Census; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 883, "An Act to amend Article 6704 of the Revised Civil Statutes of Texas by adding thereto a new subdivision to be known as subdivision 4, permitting, empowering and authorizing the Commissioners' Court of any county containing a population of not less than five thousand, six hundred ninety (5,690) nor more than five thousand, seven hundred fifty (5,750), according to the last preceding Federal Census, to construct cattle guards on any or all of the first class, second class, or third class roads within their respective counties in accordance with plans and specifications prepared and approved by the Commissioners' Court of said County, and further permitting, authorizing and empowering said Commissioners' Court to construct said cattle guards on any such roads and pay therefor out of the road and bridge funds of said County and making it a penal offense for anyone to construct any cattle guard on such roads not in accordance with said approved plans and specifications as prepared and approved by said Commissioners' Court; providing a suitable penalty therefor, and declaring an emergency."

H. B. No. 892, "An Act providing for the excluding of lands from water improvement districts and from water control and improvement districts where such land is not of such nature as to be subject to irrigation in a practicable manner, upon application of the owner of such land, by the Board of Directors of such district, with the

consent of ninety-five (95%) per cent of the bondholders holding bonds payable from taxes levied within such district, and provided a like amount of irrigable land is added to such district upon the application of the owner thereof at the time of excluding land not subject to irrigation in a practicable manner, and declaring an emergency."

H. B. No. 166, "An Act to amend Senate Bill No. 249, Chapter 122, of the General Laws passed by the Regular Session of the Thirty-eighth Legislature, and approved March 23, 1923, being Article 2797 of the Revised Civil Statutes of 1925, providing for the issuance of serial coupon bonds for school purposes; authorizing such bonds to be issued by the Board of Trustees of any city or town which has assumed the control of its public free schools, or shall hereafter assume control thereof, where control of such schools is exercised through a Board of Trustees; providing for the calling and holding of election to authorize issuance of such bonds, and the issuance thereof in form and manner authorized in respect of independent school districts proper; providing for the levy and collection of tax necessary for the service of such bonds; providing that such bonds shall be the obligations of the city or town in its capacity as a school district proper and that any limitation in the amount of bonded indebtedness permitted such city or town contained in the charter of such city or town, or in other provision of law, general or special, shall not apply to the issuance of such bonds; repealing all laws and parts of laws, general and special, in conflict herewith; and declaring an emergency."

H. B. No. 873, "An Act making provisions for salaries of chief deputy in the office of sheriff, tax collector and assessor in certain counties; authorizing Commissioners' Court to pay salaries; providing mode and manner of paying salaries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency"

H. C. R. No. 93, Providing for certain corrections to House Bill No. 391.

H. C. R. No. 97, Requesting the Senate to return House Bill No. 906 to the House for further consideration.

H. B. No. 365, "An Act authorizing the Commissioners' Court of any county having a population of not less than four thousand, six hundred and thirty-sixen (4,637) and not more than four thousand, seven hundred (4,700) inhabitants, according to the last preceding Federal Census, to allow each County Commissioner the sum of Twenty-five (\$25.00) Dollars per month for traveling expenses; providing for the source of payment of such expenses, and declaring an emergency."

H. B. No. 170, "An Act providing for a more adequate and equitable salary for County Superintendents of Public Instruction in all those counties of Texas coming within the brackets and population figures herein, specifically in all those counties having not less than fifty thousand (50,000) and not more than fifty thousand, one hundred (50,100), and in counties having a population of not less than thirty-eight thousand, seven hundred and sixty-five (38,765) and not more than thirty-eight thousand, seven hundred and seventy-five (38,775); and in counties having a population of not less than twenty-nine thousand, two hundred and ten (29,210) and not more than twenty-nine thousand, six hundred and thirty (29,630), and in counties having a population of not less than seventy-seven thousand, seven hundred and fifty (77,750) and not more than seventy-seven thousand, eight hundred (77,800), and in counties having a population of not less than twenty-two thousand, five hundred and ninety (22,590) and not more than twenty-two thousand eight hundred and eighty (22,880) and in counties having a population of not less than fourteen thousand, five hundred and fifty (14,550) and not more than fourteen thousand eight hundred (14,800), and in counties having a population of not less than twenty thousand (20,000) and not more than twenty thousand and fifty (20,050), according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; making the Act cumulative of the General Law; and declaring an emergency."

H. B. No. 633, "An Act providing for the execution of an agreement to extend the Interstate Compact to Conserve Oil and Gas; prescribing the form of the agreement; prescribing procedure for withdrawal

from the Compact, and declaring an emergency."

Minority Report on Senate Concurrent Resolution 20 Adopted

Senator Stone of Washington moved that the minority report on Senate Concurrent Resolution No. 20 be adopted in lieu of the majority report on the resolution.

The motion prevailed by the following vote:

Yeas—18

Aikin	Metcalf
Beck	Moffett
Burns	Moore
Collie	Roberts
Cotten	Small
Graves	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Winfield
Martin	

Nays—5

Brownlee	Pace
Hardin	Weinert
Nelson	

Absent

Head	Sulak
Redditt	Van Zandt
Shivers	

Absent—Excused

Hill	Spears
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Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 17, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee report on H. B. No. 170 by a vote of 123 ayes and 2 noes.

The House has concurred in Senate amendments to H. B. No. 365 by a vote of 110 yeas and 0 noes.

The House has adopted the Conference Committee report on H. B. No. 517 by a vote of 118 ayes and 0 noes.

The House has adopted the Con-

ference Committee report on H. B. No. 813 by a vote of 109 ayes and 0 noes.

Respectfully submitted,
E. R. LINDLEY, Chief Clerk,
House of Representatives.

**Senate Bill 19 on Final Passage
(Special Order)**

The President laid before the Senate, as a special order for this hour, on its final passage (the bill having been read third time on Thursday, April 13, 1939, and its further consideration having been made on that day a special order for this hour):

S. B. No. 19, A bill to be entitled "An Act repealing Article 6203, Revised Civil Statutes of 1925, as amended by Chapter 45, Acts of the Forty-first Legislature, First Called Session, Chapter 9, Fourth Called Session of the Forty-first Legislature, and Chapter 11, Fifth Called Session of the Forty-first Legislature, creating a Board of Pardons and Paroles, fixing their terms of office, providing a method of appointment thereto and authorizing recess appointments; limiting the power of the Governor in the matter of reprieves, commutations of punishment and pardons; providing for one reprieve of not more than thirty (30) days in any capital case, empowering the Governor to revoke paroles and other forms of clemency; fixing the salaries of the members of the Board of Pardons and Paroles and providing for traveling expenses and accommodations, and empowering them to employ a secretary, a state parole supervisor and other employees; providing for the organization of the Board; providing that the chairman shall be elected by the Board; providing for removal of Board members for cause; providing for the maintenance of offices and location of same; etc., and declaring an emergency."

Senator Nelson offered the following amendment to the bill:

Amend S. B. No. 19, Sec. 19, by striking out the word and figures "10" and substituting therefor the following: "Twenty (20)."

The amendment was lost by the following vote:

Yeas—11

Aikin

Beck

Collie
Kelley
Metcalf
Moffett
Nelson

Small
Stone
of Galveston
Weinert
Winfield

Nays—13

Brownlee
Burns
Cotten
Hardin
Head
Isbell
Lanning

Lemens
Martin
Moore
Pace
Roberts
Sulak

Absent

Graves
Redditt
Shivers

Stone
of Washington
Van Zandt

Absent—Excused

Hill

Spears

Senator Nelson offered the following amendment to the bill:

Amend S. B. No. 19, Sec. 17, line 2, page 5, by striking out the word and figures: "Ten (10) years" and substituting therefor the following: "fifteen (15) years."

The amendment was lost by the following vote:

Yeas—9

Beck
Kelley
Metcalf
Moffett
Nelson

Small
Stone
of Galveston
Weinert
Winfield

Nays—15

Aikin
Brownlee
Burns
Collie
Cotten
Graves
Hardin
Head

Isbell
Lanning
Martin
Moore
Pace
Stone
of Washington
Sulak

Absent

Lemens
Redditt
Roberts

Shivers
Van Zandt

Absent—Excused

Hill

Spears

Senator Nelson moved to reconsider the vote by which the bill was passed to engrossment on Thursday, April 13, 1939.

Senator Burns raised a point of order against consideration of the motion, on the ground that it comes too late, not having been made on the same day the bill was passed to engrossment nor on the next succeeding legislative day, as required by Senate rule 52.

The President sustained the point of order.

Senator Nelson moved that Senate rule 52 be suspended, in order that a motion might be made at this time to reconsider the vote by which the bill was passed to engrossment on Thursday, April 13, 1939.

The motion was lost by the following vote:

Yeas—13

Kelley	Stone
Lemens	of Galveston
Martin	Stone
Metcalf	of Washington
Moffett	Van Zandt
Nelson	Weinert
Roberts	Winfield
Small	

Nays—15

Aikin	Head
Beck	Isbell
Brownlee	Lanning
Burns	Moore
Collie	Pace
Cotten	Shivers
Graves	Sulak
Hardin	

Absent

Redditt

Absent—Excused

Hill

Spears

Senator Pace moved the previous question on the passage of the bill, and the motion was duly seconded.

Senator Martin moved to postpone further consideration of the bill to 3:00 o'clock p. m. today.

Question first recurring on the motion of Senator Pace, yeas and nays were demanded.

The motion of Senator Pace for the previous question was lost by the following vote:

Yeas—13

Brownlee	Cotten
Burns	Graves

Hardin
Head
Isbell
Lanning
Moore

Pace
Roberts
Shivers
Sulak

Nays—15

Aikin	Small
Beck	Stone
Collie	of Galveston
Kelley	Stone
Lemens	of Washington
Martin	Van Zandt
Metcalf	Weinert
Moffett	Winfield
Nelson	

Absent

Redditt

Absent—Excused

Hill

Spears

Question then recurring on the motion of Senator Martin to postpone further consideration of the bill until 3:00 o'clock p. m. today, yeas and nays were demanded.

The motion was lost by the following vote (not receiving the two-thirds vote necessary to postpone a special order):

Yeas—16

Aikin	Roberts
Beck	Small
Collie	Stone
Kelley	of Galveston
Lemens	Stone
Martin	of Washington
Metcalf	Van Zandt
Moffett	Weinert
Nelson	Winfield

Nays—12

Brownlee	Isbell
Burns	Lanning
Cotten	Moore
Graves	Pace
Hardin	Shivers
Head	Sulak

Absent

Redditt

Absent—Excused

Hill

Spears

Senator Nelson moved to table the bill subject to call.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—16

Aikin	Roberts
Beck	Small
Collie	Stone
Kelley	of Galveston
Lemens	Stone
Martin	of Washington
Metcalfe	Van Zandt
Moffett	Weinert
Nelson	Winfield

Nays—12

Brownlee	Isbell
Burns	Lanning
Cotten	Moore
Graves	Pace
Hardin	Shivers
Head	Sulak

Absent

Redditt

Absent—Excused

Hill

Spears

Recess

On motion of Senator Collie, the Senate, at 12:00 o'clock m., took recess to 2:00 o'clock p. m. today.

Afternoon Session

The Senate met at 2:00 o'clock p. m., and was called to order by the President.

Bills and Resolutions Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills and resolutions:

H. B. No. 391, "An Act regulating the taking of fish and shrimp in the tidal waters of this State; providing that it shall be lawful to use strike nets, gill nets, trammel nets or shrimp trawls in the open waters of East Galveston Bay in the Counties of Galveston and Chambers, and in certain waters of Galveston Bay, during the period beginning August 15 and ending May 15 of each year; making it unlawful to use certain nets contrary to the provisions of Chapter 119, page 269, Acts of the Regular Session of the Forty-first Legislature; providing that it shall be unlawful to have in possession certain seines or nets in or on any of the tidal waters of this State where said nets are prohibited from being used in taking fish or shrimp unless

same is on board a vessel when in port or enroute to or from the Gulf of Mexico; providing for seizure of said nets by officers of the State and for trial of defendant; fixing a penalty; repealing all laws in conflict herewith; and declaring an emergency."

S. B. No. 329, "An Act to amend Chapter 427, Acts of the First Called Session of the Forty-fourth Legislature of the State of Texas, being the Act creating the Nueces River Conservation and Reclamation District, so as to provide that the whole of Webb County shall be removed from and excluded from the provisions thereof; to create the Webb County Conservation and Reclamation District under the authority of Section 59 of Article 16, of the Constitution of Texas; defining the powers and duties of said Districts; providing for directors, and organization and operation of said District and the authority and duties of said Directors; defining the area of said District; providing for certain duties of the State Board of Water Engineers and the Governor of the State; providing that said District shall be governed by the provisions of this Act and all General Laws of the State of Texas; providing that such District be a governmental agency, body politic and corporate; authorizing the acquisition of lands, leases, buildings and property necessary for the purposes for which said District is created; vesting such body corporate with the right and powers of eminent domain; providing a constitutional saving clause, and declaring an emergency"

S. B. No. 346, "An Act amending the 'Lower Colorado River Authority Act,' Chapter 7, Acts of the Fourth Called Session of the Forty-third Legislature by amending Section 10 so as to authorize the District to issue bonds for any corporate purpose providing that the aggregate principal amount of such bonds outstanding at any one time shall not exceed \$25,000,000, and eliminating from Section 10 the provisions with reference to purchase of property of Central Texas Hydro-Electric Company; adding a section to be known as Section 14b authorizing the sale, lease or other disposition to any electric cooperative, municipality, or other governmental agency or body politic and corporate of the State of Texas of any property acquired or constructed by the District and incidental to or used or useful in the gen-

eration, production, transmission, distribution or sale of electric energy; authorizing it to pledge the proceeds of any such sale or sales; and declaring an emergency."

S. B. No. 209, "An Act amending Chapter 49 of the General and Special Laws of the Third Called Session of the Forty-third Legislature being H. B. No. 65, page 100 of the General and Special Laws of the Third Called Session of the Forty-third Legislature, making it unlawful to kill wild fox, or to take or have in one's possession for barter or sale the pelts of wild fox, in certain counties; providing a penalty for violation of this Act, and declaring an emergency."

S. B. No. 419, "An Act conferring additional powers on school districts having a relatively large percentage of delinquent taxes including power to borrow money and issue obligations secured by such taxes and to make supplementary pledges of taxes hereafter becoming delinquent to secure the release of funds for such obligations; providing that the provisions of this Act may be cumulative of all other laws, but that in the event of conflict, the provisions hereof shall prevail; enacting provisions incident to and relating to the subject; and declaring an emergency"

S. B. No. 429, "An Act to amend H. B. No. 473, Section 1, Acts of the Forty-sixth Legislature, Regular Session, so as to fix the term of office of the County Purchasing Agent in all counties in this State having a population of more than one hundred and forty thousand (140,000) inhabitants and less than two hundred and ninety thousand (290,000) inhabitants, according to the last preceding Federal Census, and wherein is situated an incorporated city of more than one hundred and forty thousand (140,000) inhabitants, according to the last preceding Federal Census; providing that the salary of said County purchasing Agent shall be fixed by the board composed of the Judges of the District Courts and the County Judge; and declaring an emergency"

S. B. No. 247, "An Act providing that in any Water Control and Improvement District, now existing or hereafter created, having within its boundaries more than one hundred thousand acres of land, and whose boundaries embrace lands within two or more counties, directors may either

be elected at elections held in such districts at large as provided by Section 37, Chapter 25 of the Acts of the Thirty-ninth Legislature, Regular Session, 1925, as amended by Section 6, Chapter 107, of the Acts of First Called Session of the Fortieth Legislature, 1927; or by the precinct method; prescribing the procedure for adopting such precinct method of electing directors by districts of such classification hereafter created, and by such districts existing at the time this Act takes effect; limiting the terms of office of directors of any such district adopting such precinct method in office at the time of such adoption; etc, and declaring an emergency"

S. B. No. 407, "An Act to confirm and validate all re-sales and awards of public school lands in counties with a population of not less than 6,400 nor more than 6,500, according to the last preceding Federal Census, to the spouse of the forfeiting owner, where such public school lands were forfeited prior to January 1, 1938, and came under the terms of either Acts 1925, Thirty-ninth Legislature, Regular Session, Chapter 94, page 267, or Acts 1926, Thirty-ninth Legislature, First Called Session, Chapter 25, page 43, or any amendments to either of said Acts, and either the forfeiting owner or the spouse of the forfeiting owner filed, prior to January 1, 1938, his request for the re-valuation of such lands and said request was granted and said land re-valuated by the Commissioner of the General Land Office, and such lands re-sold or awarded by the Commissioner of the General Land Office, prior to January 1, 1938, to the spouse of such forfeiting owner, and providing that such re-sale or award to such spouse of such forfeiting owner shall be deemed as valid as if such sale or award had been made in the name of the forfeiting owner himself; and declaring an emergency."

S. B. No. 328, "An Act to prohibit the sale of any fresh water fish caught or trapped from the fresh waters of certain counties, fixing a penalty, repealing all laws of parts of laws in conflict herewith, and declaring an emergency."

S. B. No. 189, "An Act to amend Article 4225 of the Revised Civil Statutes of Texas, 1925, so as to provide for annual accounts and the matter to be shown therein and that guardians shall show in such annual accounts the source and nature of re-

ceipts and disbursements, showing principal and income separately, and include in their accounts by reference to former accounts or otherwise an accurate and detailed description of all property, real and personal, on hand belonging to the ward and the condition and use being made thereof, and to require the exhibition of all securities owned by the ward to the Court or to a person designated by the Court, or the furnishing with their accounts of certain other proof that such assets, together with the cash due the ward, are on hand, and declaring an emergency."

S. B. No. 287, "An Act amending Chapter 30 of the Local and Special Laws of the Thirty-fifth Legislature of Texas, Regular Session, as amended by Chapter 471 of the Local and Special Laws of the First Called Session of the Thirty-ninth Legislature of Texas, by adding thereto Sections 13b and 13c so as to provide for the funding of certain outstanding road and bridge obligations of McCulloch County, Texas, not to exceed a total principal amount of Sixty-nine Thousand (\$69,000.00) Dollars; validating, ratifying and confirming such outstanding obligations and said refunding bonds; and declaring an emergency."

S. B. No. 338, "An Act to fix the maximum rate to be levied for school purposes in all independent school districts which include within their limits an incorporated city or town which according to the then latest Federal Census had a population of not fewer than four thousand four hundred fifty (4,450) and not more than four thousand four hundred eighty-five (4,485) inhabitants, whether organized under General or Special Law; repealing all laws in conflict herewith, both General and Special, and declaring an emergency."

S. B. No. 48, "An Act validating an election held under the provisions of Chapter 339, Acts Regular Session, Forty-fourth Legislature, transferring certain lands from the Evans Common School District No. 7, in Mills County, Texas, to The Mullin Independent School District, Mills County, Texas, and to the Jones Valley Common School District No. 12, in Mills County, Texas, and declaring an emergency."

S. B. No. 267, "An Act validating proceedings heretofore had by certain cities in Texas, other than home-

rule cities, for the issuance of revenue bonds and ad valorem tax bonds for the purpose of procuring funds to construct waterworks and sewer systems for such cities, validating the bonds to be issued pursuant to such proceedings and the indentures executed and to be executed as a security for such bonds, authorizing the adoption of the proceedings necessary to complete the issuance of such bonds, validating proceedings had in the incorporation of such cities, providing the manner in which the assessed valuation of taxable property may be determined in such of said cities as have not heretofore levied taxes, repealing all conflicting acts, and declaring an emergency."

S. B. No. 308, "An Act fixing the maximum fees of county officials in certain counties containing a population of not less than 18,528 and not more than 18,535 according to the last preceding Federal census, and declaring an emergency."

S. B. No. 355, "An Act providing for additional traveling expenses for County Superintendents of Public Instruction in counties of Texas having a population of not less than 15,725 and not more than 15,755, according to the last preceding Federal census, and declaring an emergency."

S. B. No. 160, "An Act to amend Section 3 of Chapter 5, Acts 1934, Forty-third Legislature, Second Called Session, as amended by Chapter 439, Acts 1935, Forty-fourth Legislature, Second Called Session, by providing that the Boards of Directors may refinance bonds already issued, and declaring an emergency."

House Concurrent Resolution 96

The following resolution, previously received from the House, was laid before the Senate:

H. C. R. No. 96, Returning House Bill No. 426 from the Senate.

The resolution was read; and by unanimous consent, it was considered at this time and was adopted.

Senate Bill 434 on Second Reading

On motion of Senator Pace and by unanimous consent, Senate rule 31a was suspended, and the regular order of business was suspended, to permit

consideration of S. B. No. 434 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 434, A bill to be entitled "An Act authorizing the Board of Control and Governor to execute deed and effect sale and transfer of one-half ($\frac{1}{2}$) acre of land in Upshur County, Texas; describing said land by metes and bounds; providing for deed and mode and manner of executing same; providing for consideration of said deed, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 434 on Third Reading

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 434 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

Absent—Excused

Hill Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Graves	Redditt
Hardin	Roberts
Head	Shivers
Isbell	Small
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalfe	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield
Pace	

Absent—Excused

Hill Spears

Senate Bill 416 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 416 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 416, A bill to be entitled "An Act granting Dorothy Worsham of Houston, Harris County, Texas, Floyd Gwin of Galena Park, Harris County, Texas, Paul Bieherstein of Galena Park, Harris County, Texas, Clovis Putman of Galena Park, Harris County, Texas, A. C. Graham, Jr., of Galena Park, Harris County, Texas, and Martha Ruth Linan of Galena Park, Harris County, Texas, permission to sue the State of Texas for damages alleged to have resulted from the negligence of an officer of the Highway Patrol in the performance of his duties; providing that venue of such suits shall be in Travis County, Texas; providing for the recovery of judgment against the State in the event of proof of negligence in a court of competent jurisdiction; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend S. B. No. 416 by striking out the words "Travis County" and inserting in lieu thereof "Harris County."

And by adding a new section as follows:

"Section 2a. Service may be had by serving a copy of the petition on the Governor and Attorney General."

And amend the caption to conform.

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 416 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 416 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill Spears

House Bill 853 on Second Reading

On motion of Senator Stone of Washington and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 853 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 853, A bill to be entitled "An Act providing for salary to be paid County Superintendent of Schools in certain counties, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 853 on Third Reading

Senator Stone of Washington moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 853 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Head
Collie	Isbell

Kelley	Shivers
Lanning	Small
Lemens	Stone
Martin	of Galveston
Metcalf	Stone
Moffett	of Washington
Moore	Sulak
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield
Roberts	

Absent—Excused

Hill

Spears

House Bill 894 on Second Reading

On motion of Senator Metcalfe and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 894 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 894, A bill to be entitled "An Act providing that it shall be unlawful to shoot quail in McCulloch and San Saba Counties until December 1, 1941; providing a suitable penalty for violation of this Act; repealing all conflicting laws, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 894 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 894 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Beck	Metcalf
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Isbell	Stone
Kelley	of Galveston
Lanning	Stone
Lemens	of Washington
Martin	Sulak

Van Zandt	Winfield
Weinert	

Absent—Excused

Hill

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill

Spears

Committee Substitute for Senate Bill 297 on Second Reading

On motion of Senator Cotten and by unanimous consent, the regular order of business was suspended, to permit consideration of Committee Substitute S. B. No. 297 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

Committee Substitute S. B. No. 297, A bill to be entitled "An Act regulating the execution by teachers and school employees, of assignments of salaries or wages, or any interest therein, as security for indebtedness, defining teachers and school employees, within the terms of this Act, and providing that all assignments of salary or wages or any part thereof or interest therein not executed in accordance with the provisions of this Act shall be invalid and unenforceable."

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend S. B. No. 297 by adding thereto a new section to be known as Section 2a and reading as follows:

"Section 2a. Nothing in this Act shall in any manner affect or repeal any part of S. B. No. 401, Acts of the Regular Session of the Thirty-eighth Legislature."

The amendment was adopted.

The bill was passed to engrossment.

Committee Substitute Senate Bill 297 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 297 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Head
Beck	Isbell
Brownlee	Kelley
Burns	Lanning
Collie	Lemens
Cotten	Martin
Graves	Metcalf
Hardin	Moffett

Moore
Nelson
Pace
Redditt
Roberts
Shivers
Small

Stone
of Galveston
Stone
of Washington
Sulak
Van Zandt
Weinert
Winfield

Absent—Excused

Hill Spears

Senate Bill 381 on Second Reading

On motion of Senator Sulak and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 381 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 381, A bill to be entitled "An Act to amend Article 880, H. B. No. 111, Acts of the Second Called Session, Forty-fifth Legislature, relating to the use of dogs in the hunting or pursuing or taking of any deer in certain counties; and declaring an emergency."

The bill was read second time.

Senator Sulak offered the following amendments to the bill:

(1)

Amend S. B. No. 381 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. It is hereby declared unlawful for any person or persons to make use of a dog or dogs in the hunting of or pursuing or taking of any deer in Lavaca County, Texas. Any person or persons owning or controlling any dog or dogs, and who permits or allows such dog or dogs to run, trail, or pursue any deer in Lavaca County at any time, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than Twenty-five Dollars (\$25.00) and not more than Two Hundred Dollars (\$200.00); provided that it shall be lawful to use one dog for the purpose of trailing a wounded deer in Lavaca County, Texas.

Sec. 2. All laws or parts of laws in conflict with this Act are hereby repealed to the extent of such conflict only.

"Sec. 3. The crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring that bills be read on three several days be suspended and such Rule is hereby suspended and this Act shall be in effect from and after its passage, and it is so enacted."

(2)

Amend S. B. No. 381 by striking out all above the enacting clause and inserting in lieu thereof the following:

A BILL

TO BE ENTITLED

An Act prohibiting the use of dogs in the hunting, pursuing or taking of deer in Lavaca County; permitting the use of one dog in trailing a wounded deer; repealing all laws in conflict to the extent of such conflict only; and declaring an emergency.

The amendments were adopted severally.

The bill was passed to engrossment.

Senate Bill 381 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 381 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

Absent—Excused

Hill

Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

Absent—Excused

Hill

Spears

Senate Bill 428 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 428 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 428, A bill to be entitled "An Act to amend Article 5790 of the Revised Civil Statutes of Texas, 1925, relating to the powers of the Adjutant General of the State of Texas; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 428 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 428 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Burns
Beck	Collie
Brownlee	Cotten

Graves	Redditt
Hardin	Roberts
Head	Shivers
Isbell	Small
Kelley	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Metcalfe	Sulak
Moffett	Van Zandt
Moore	Weinert
Nelson	Winfield
Pace	

Absent—Excused

Hill Spears

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Nelson
Brownlee	Pace
Collie	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Head	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Nays—2

Beck Burns

Absent—Excused

Hill Spears

Senate Bill 412 with House Amendments

Senator Kelley called S. B. No. 412 from the President's table for consideration of the House amendments to the bill.

The President laid the bill, with House amendments, before the Senate, and the House amendments were read.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

Yeas—25

Aikin Beck

Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Small
Graves	Stone
Isbell	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Martin	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Nelson	

Absent

Hardin Moore
Head Shivers

Absent—Excused

Hill Spears

Senate Bill 275 with House Amendments

Sentator Burns called up S. B. No. 275 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amendments were read.

Question—Shall the Senate concur in the House amendments.

The Senate concurred in the House amendments by the following vote:

Yeas—25

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Small
Cotten	Stone
Graves	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

Absent

Hardin Moore
Head Shivers

Absent—Excused

Hill Spears

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
April 17, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: I am directed by the House
to inform the Senate that the House
has concurred in Senate amendments
to H. B. No. 909 by a vote of 123
yeas and 0 noes.

The House has concurred in Senate
amendments to H. B. No. 634 by a
vote of 123 yeas and 0 noes.

Respectfully submitted,
E. R. LINDLEY,
Chief Clerk, House of Representatives.

**Senate Bill 224 on Passage to
Engrossment**

(Unfinished Business)

The President laid before the Sen-
ate, as unfinished business, on its pas-
sage to engrossment (the bill having
been read second time on Friday,
April 1, 1939):

S. B. No. 224, A bill to be entitled
"An Act granting and donating to
each respective county of this State
for a period of five years beginning
with the taxable year 1939 all the
State ad valorem taxes, not hereto-
fore donated or appropriated to any
county, district, city or other political
subdivision, collected for general reve-
nue purposes upon the property and
form persons in each respective coun-
ty, including ad valorem taxes on
rolling stock belonging to railroad
companies, for the use of each re-
spective county for the purposes of
constructing improvements to prevent
soil erosion, flood control, irrigation
and drainage projects, reforestation
and road building and further provid-
ing that said taxes shall be levied,
assessed and collected in the manner
now provided by law and the Asses-
sor and Collector in each County shall
forward his report to the Comptrol-
ler covering said collections and shall
pay over to the County Treasurer of
each respective county all moneys
collected by him at the end of each
month, except such amounts as may
be allowed by the law for collecting
and assessing said taxes; requiring
said Assessor and Collector to for-
ward a duplicate copy of the receipt
given him by County Treasurer for
said moneys to the State Comptroller
and defining the purposes and in-
tention of this Act, and declaring an
emergency."

With the following amendments (1)
and (2) by Senator Nelson pending:

(1)

Amend S. B. No. 224, Sec. 1. line
48, by adding after the word "comp-
troller" the following: Provided, how-
ever, that any county desiring to
take advantage of the tax money re-
mitted to them herein shall, before
being entitled to receive or retain
any of such tax money, reduce the
county tax rate set for the preceding
year in said county so as to reduce
fifty per cent of total collections the
equivalent of the amount of money
received from the State under the re-
mission."

(2)

Amend S. B. No. 224, Section 1,
by striking out the following begin-
ning in line 37: "The following pur-
poses: Constructing flood control
works and improvements in said
county, for improvements to pre-
vent soil erosion and for soil con-
servation purposes, for irrigation and
drainage projects, reforestation and
road building" and substituting
therefor the following: "The same
purposes as are now authorized by
law for the use of county funds and
such other purposes as now provided
by law for the use of State taxes her-
etofore remitted to any county."

Senator Van Zandt, by unanimous
consent, offered the following amend-
ment to the bill:

Amend S. B. No. 224 by adding
to Section 2 the following,

"and it is hereby declared that the
provisions of this Act are authorized
under Section 8, Article 11 of the
Constitution of Texas."

The amendment was adopted.

Senator Metcalfe, by unanimous con-
sent, offered the following amend-
ment to the bill:

Amend S. B. No. 224 by adding at
the end of Section 1 the following:
"provided that in counties wherein
taxes have been heretofore donated or
granted by the State of Texas to any
authority, which embraces such coun-
ties within its confines, and which do-
nation and grant are contingent upon
an allocation of a Federal grant, that
when and if such Federal grant be-
comes effective, said prior donation
and grant shall be and become su-
perior to any such provision of this
Act as affecting the counties of such
authority."

The amendment was adopted.

Senator Metcalfe, by unanimous consent, offered the following amendment to the bill:

Amend S. B. No. 224, page 1, line 40 of the printed bill by adding after the word "building" in said line, the following:

"and for conservation and utilization of water"

The amendment was adopted.

Senator Moffett, by unanimous consent, offered the following amendment to the bill:

Amend S. B. No. 224 by striking out the period at the end of the sentence in line 40, Sec. 1, page 1, printed bill, and adding the following "and projects sponsored by a County in cooperation with the Federal Works Progress Administration or its successors."

The amendment was adopted.

On motion of Senator Weinert the amendment (2) by Senator Nelson was tabled.

Question recurred—Shall the amendment (1) by Senator Nelson (as amended) be adopted?

Senator Burns moved to table the amendment (1) as amended.

The motion to table was lost by the following vote:

Yeas—6

Burns	Head
Cotten	Roberts
Hardin	Van Zandt

Nays—19

Aikin	Pace
Beck	Redditt
Brownlee	Small
Collie	Stone
Graves	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Weinert
Metcalfe	Winfield
Moffett	

Absent

Martin	Shivers
Moore	

Absent—Excused

Hill	Spears
Nelson	

Senator Kelley offered the following amendment to the amendment (1):

Provided further that the provisions of this paragraph shall not apply to such counties wherein, at the effective date of this Act, injunctions are pending restraining the lowering of county ad valorem tax rates.

Senator Weinert moved to table the amendment.

Senator Van Zandt raised a point of order against further consideration of the amendment (1) and the amendment to the amendment (1) on the ground that their adoption would change the original purpose of the bill.

The President sustained the point of order.

Senator Brownlee offered the following amendment to the bill:

Amend S. B. No. 224 by adding after the words "road building" in line 40, page 1 the following words: "including the purchase of right of ways for public roads".

The amendment was adopted.

Senator Metcalfe offered the following amendment to the bill:

Amend S. B. No. 224, by adding at the end of Section 1 the following:

"Provided further that under the terms of this Act the Commissioners' Courts are authorized to contract with the governing board of any river authority or water improvement district which may include all or any part of such county, to perform construction works, or otherwise carry out the purposes for which such river authority or water improvement district is created, and pay for such work out of the taxes herein donated and granted to such county."

The amendment was adopted.

On motion of Senator Weinert, the caption was amended to conform to the changes in the body of the bill.

Motion to Adjourn

Senator Collie moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Yeas and nays were demanded, and

the motion was lost by the following vote:

Yeas—9

Aikin	Stone
Collie	of Galveston
Cotten	Stone
Lemens	of Washington
Martin	Sulak
Metcalfe	

Nays—17

Brownlee	Pace
Burns	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Isbell	Van Zandt
Kelley	Weinert
Lanning	Winfield
Moffett	

Absent

Beck	Moore
------	-------

Absent—Excused

Hill	Spears
Nelson	

Senator Moffett moved the previous question on the passage of S. B. No. 224 to engrossment, and the main question was ordered.

The bill was passed to engrossment by the following vote:

Yeas—21

Aikin	Moffett
Beck	Moore
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Graves	Stone
Hardin	of Galveston
Kelley	Sulak
Lanning	Van Zandt
Lemens	Weinert
Metcalfe	Winfield

Nays—7

Cotten	Pace
Head	Small
Isbell	Stone
Martin	of Washington

Absent—Excused

Hill	Spears
Nelson	

Senate Bill 224 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 224 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Pace
Beck	Redditt
Brownlee	Roberts
Burns	Shivers
Collie	Small
Graves	Stone
Hardin	of Galveston
Kelley	Stone
Lanning	of Washington
Lemens	Sulak
Metcalfe	Van Zandt
Moffett	Weinert
Moore	Winfield

Nays—4

Cotten	Isbell
Head	Martin

Absent—Excused

Hill	Spears
Nelson	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Moffett moved the previous question on the passage of the bill, and the main question was ordered.

The bill was passed by the following vote:

Yeas—21

Aikin	Moffett
Beck	Moore
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Graves	Stone
Hardin	of Galveston
Kelley	Sulak
Lanning	Van Zandt
Lemens	Weinert
Metcalfe	Winfield

Nays—7

Cotten	Isbell
Head	Martin

Pace
Small

Stone
of Washington

Absent—Excused

Hill
Nelson

Spears

Votes on Passage of House Bill 426 Reconsidered

On motion of Senator Roberts, and by unanimous consent, the vote by which H. B. 426 (a deficiency appropriation bill) was passed on April 6, 1939, was reconsidered.

Question—Shall the bill be passed?

On motion of Senator Roberts, and by unanimous consent, the vote by which the bill was passed to third reading was reconsidered.

Question—Shall the bill be passed to third reading?

Conference Committee on House Bill 249

Senator Van Zandt called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 249.

Senator Van Zandt moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Van Zandt, Small, Moore, Aikin and Cotten.

House Concurrent Resolution 100

The following resolution received from the House today, was laid before the Senate:

H. C. R. No. 100, Authorizing correction of caption of H. B. No. 517.

The resolution was read; and by unanimous consent, it was considered at this time, and was adopted.

House Concurrent Resolution 101

The following resolution, received from the House today, was laid before the Senate:

H. C. R. No. 101, Commending the efforts of the President of the United States to prevent war and endorsing

his communication to the dictators of Italy and Germany.

The resolution was read; and by unanimous consent, it was considered at this time and was adopted.

Conference Committee on House Bill 683

Senator Shivers called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 683.

Senator Shivers moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Shivers, Burns, Stone of Galveston, Lanning and Roberts.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, April 17, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House is returning the following bill to the Senate for further consideration by authority of H. C. R. 96:

H. B. No. 426, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor during the fiscal years beginning September 1, 1936 and ending August 31, 1938, and declaring an emergency."

The House refused to concur in Senate amendments to H. B. No. 249, and has requested the appointment of a Conference Committee to consider the differences between the two Houses: The following are appointed on part of the House: Keith, Hull, Felty, Colquitt, Baker of Ft. Bend.

The House has passed the following bills and resolutions:

H. B. No. 115, A bill to be entitled "An Act declaring it unlawful for any prisoner charged or convicted of felony and confined in any jail or prison or public training school, reformatory,

county hospital, industrial farm or road camp or engaged in any county road or other county work or in the lawful custody of any officer or person to escape or attempt to escape; declaring such unlawful conduct to be a felony and providing the punishment for conviction thereof, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 124, A bill to be entitled "An Act amending subdivision 23, Article 1995, Chapter 1, Title 42, 1925 Revised Civil Statutes of the general venue statute, which subdivision heretofore has made exception to the general rule of venue so as to make it possible under given conditions to institute suits in counties other than the domicile of corporations and associations, but is here amended so as to include in the exception to the general rule copartnerships, of whatever nature, but without otherwise altering subdivision 23 of the said Article 1995, repealing all laws in conflict herewith, whether specially mentioned or not, fixing the venue against corporations, associations and copartnerships, and declaring an emergency."

H. B. No. 326, A bill to be entitled "An Act ratifying, confirming, and validating all acts and orders, and attempted acts and orders, of County School Trustees, Boards of County School Trustees, County Boards of Trustees, County Boards of School Trustees, Commissioners' Courts, Boards of Trustees of Common, Independent and County Line School Districts, and all elections and attempted elections of Common, Independent, and County Line School Districts, relating to the laying out, establishment, combining, abolishing, changing of boundaries, detaching territory from, or annexing territory to, any such school district, except where contests of same may be pending at the time this Act becomes effective, and except where contests of same may be brought within six (6) months after this Act becomes effective, and declaring an emergency."

H. B. No. 363, A bill to be entitled "An Act providing for instruction in Americanism and on the Constitution of the United States in all public and private schools located within this State, providing for supervision by the Superintendent of Public Instruction, providing for compulsory examination of students on American-

ism and the Constitution of the United States, fixing a penalty for the willful neglect or failure on the part of any superintendent, principal or teacher to carry out the requirements of this Act and fixing the duty of the Superintendent of Public Instruction in carrying out the provisions hereof."

H. B. No. 443, A bill to be entitled "An Act making it unlawful to reproduce or forge any archeological object, representing same to be original, selling or exchanging the same, or knowingly have possession of same, providing for a penalty, and declaring an emergency."

H. B. No. 466, A bill to be entitled "An Act exempting from all State and county ad valorem and occupation taxes certain office buildings of Parents and Teachers Associations, providing a saving clause, and declaring an emergency."

H. B. No. 492, A bill to be entitled "An Act authorizing municipalities, political subdivisions, and taxing districts to effect a plan for the composition of their indebtedness under the provisions of the Federal Bankruptcy laws enacted by the Congress of the United States, and declaring an emergency."

S. B. No. 430, A bill to be entitled "An Act making an appropriation of the sum of One Hundred and Fifty Thousand (\$150,000.00) Dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses and to pay the per diem of members and the per diem of officers and employees of the Regular Session of the Forty-sixth Legislature, and declaring an emergency."

H. B. No. 531, A bill to be entitled "An Act providing for the use of trot lines in Lake Waco in McLennan County; prescribing when such line may be used, and the kind of trot line that may be used; providing a penalty for violation of this Act; repealing conflicting laws, and declaring an emergency."

H. B. No. 563, A bill to be entitled "An Act to prohibit the sale of cattle infected, or known to be infected, with Bang's disease, for milk purposes, by any person; prescribing a penalty, and declaring an emergency."

H. B. No. 581, A bill to be entitled "An Act to amend Article 776 of the Penal Code and Article 776a of said Penal Code, the same being Section 4, Chapter 43, passed at the Regular Session of the Forty-second Legislature, in 1931, and further defining and limiting offenses to which the suspended sentence applies, and declaring an emergency."

H. B. No. 604, A bill to be entitled "An Act to amend Chapter 33 of the General Laws of the Thirty-ninth Legislature, Regular Session, 1925, as amended, so as to make certain provisions with respect to the authorization and issuance of revenue bonds and notes by cities having more than one hundred and sixty thousand (160,000) inhabitants, and declaring an emergency."

H. B. No. 610, A bill to be entitled "An Act to amend Article 2956, Revised Civil Statutes of Texas, 1925, as amended by the Regular Session of the Forty-fourth Legislature and the Second Called Session of the Forty-fourth Legislature, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 690, A bill to be entitled "An Act to amend Article 1037 of Chapter 5, Title 14, of the Revised Criminal Statutes of 1925, as amended by Acts of 1929, Forty-first Legislature, page 676, Chapter 303, making the violation of such Article a felony, prescribing punishment therefor, and declaring an emergency."

H. B. No. 698, A bill to be entitled "An Act to declare it unlawful to take, hunt, trap, ensnare, kill or attempt to kill by any means whatsoever any wild deer, buck, doe, fawn, or wild turkey in Parker County for a period of four (4) years from and after the passage of this Act; providing for the protection of pastures, crops and/or gardens being destroyed by deer; providing a penalty therefor, and declaring an emergency."

H. B. No. 700, A bill to be entitled "An Act providing that no newspaper, magazine, or other publication, published daily, bi-weekly, weekly, monthly, or otherwise, shall sell, solicit, bargain for, offer or accept political advertisements for money, other consideration, or favors, from more than one candidate for any or all political offices, unless such publication

shall have been published and circulated generally for at least twelve (12) months next preceding the acceptance of such political advertisement; provided that this Act shall not apply to those newspapers meeting certain qualifications herein set out; providing a penalty for the breach of this Act, and declaring an emergency."

H. B. No. 715, A bill to be entitled "An Act amending Article 199, Revised Civil Statutes of Texas, 1925, as amended by the Forty-fifth Legislature, Regular Session, Senate Bill No. 431, insofar as the same relates to the 76th Judicial District composed of Titus, Franklin, Camp, Morris and Marion Counties; providing certain changes in the terms of said Counties; providing that any court in session at the time this Act becomes effective shall close its term in conformity herewith; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 864, A bill to be entitled "An Act amending Article 3991 of the Revised Civil Statutes of the State of Texas of 1925, so that default judgment may be taken in Justice Court or County Court in forcible entry and detainer proceedings, and declaring an emergency."

H. B. No. 865, A bill to be entitled "An Act amending Article 3985 of the Revised Civil Statutes of the State of Texas of 1925, so that default judgment may be taken in Justice Court in forcible entry and detainer proceedings, and declaring an emergency."

H. B. No. 869, A bill to be entitled "An Act prohibiting the liberation of wild fox in Parker County; providing a suitable penalty for any violation of this Act; repealing all laws in conflict with this Act, and declaring an emergency."

H. B. No. 884, A bill to be entitled "An Act declaring the Collared Peccary or Javelina a game animal; providing an open season for taking same and the number that may be taken or possessed; prohibiting the sale of any Peccary or part of such animal; providing a suitable penalty, and declaring an emergency."

H. B. No. 893, A bill to be entitled "An Act authorizing the Commissioners' Court of counties having a population of not less than two hundred and ninety thousand (290,000) inhabi-

tants and not more than three hundred and twenty thousand (320,000), according to the last preceding Federal Census, to appoint a County Building Inspector and assistants, providing for the payment of salary to such appointees, providing for the issuance of building permits by such Inspector, and authorizing a charge therefor, exempting Federal, State, county, city governments and other political subdivisions thereof from the provisions of this Act, prescribing penalties for failure to secure permits, and declaring an emergency."

H. B. No. 903, A bill to be entitled "An Act to better safeguard the health of the people of the State of Texas by making it unlawful to serve food in improperly cleaned or unsterilized dishes or utensils; providing rules for cleaning and sterilizing dishes or utensils; prohibiting the use of cracked or broken dishes and utensils, and unlaundered napkins and unprotected napkins, straws, and other articles commonly used in eating and drinking; prohibiting the use of unsterilized or broken utensils in factories; providing penalties; repealing Article 700-a, Title 12, Chapter 1, Revised Criminal Statutes of Texas; making certain exemptions; saving to the State the right to prosecute for violation prior to the repeal of these Articles; providing that if any particular Section or part of this Act is held unconstitutional or inoperative, such defect shall not affect any other Section or part of this Act, and declaring an emergency."

H. B. No. 906, A bill to be entitled "An Act authorizing the Commissioners Court of any county having a population of not less than thirty-seven thousand, five hundred (37,500) and not more than thirty-eight thousand, six hundred (38,600) inhabitants, according to the last preceding Federal Census, to allow each County Commissioner the sum of Fifty (\$50.00) Dollars per month for traveling expenses; providing for the source of payment of such expenses, and declaring an emergency."

H. B. No. 907, A bill to be entitled "An Act creating road law in Blanco County, Texas, providing work on public roads by those liable to such work; providing tax in lieu of such work; providing penalty for failure to pay such tax; providing time of paying such tax and penalty; making failure to work, pay the tax and/or

the penalty, a misdemeanor; affixing penalties therefor, and declaring an emergency."

H. B. No. 910, A bill to be entitled "An Act validating, ratifying and confirming all elections held for the issuance of bonds for the purpose of building school houses in consolidated common school districts in this State, where such school districts are located in counties having a population of not less than twenty-seven thousand, one hundred (27,100), and not more than twenty-seven thousand, four hundred and ten, (27,410), according to the last Federal Census, or any subsequent Federal Census; and where such school districts have a scholastic population, according to the 1938-1939 scholastic enumeration as shown in the Census Division of the Department of Education, of not less than one hundred (100), nor more than one hundred and thirty (130) pupils within the scholastic age; making said law cumulative of all laws now in force in this State, not in conflict herewith, and declaring an emergency."

H. B. No. 919, A bill to be entitled "An Act permitting the taking of fish in public waters and streams in Erath and Hood Counties with certain exceptions; permitting the taking of minnows in certain cases; affixing penalties for violation thereof; repealing all laws and parts of laws in conflict herewith, and especially repealing House Bill No. 351, passed at the Regular Session of the Forty-sixth Legislature, 1939, and declaring an emergency."

H. B. No. 922, A bill to be entitled "An Act authorizing any county having title to a plot of ground used for public purposes, the area of which is in excess of the needs of the county for its public purposes, to sell such excess for any part thereof at private sale for any consideration deemed valuable in law and approved by its Commissioners' Court to the United States of America under the provisions of its statutes authorizing the acquisition of sites for public buildings; vesting in the Commissioners' Court the power to make such sales and prescribing its procedure in regard thereto and how and by whom conveyance is to be made in carrying out any such sale; validating and legalizing all proceedings and orders

heretofore had and made by the Commissioners' Court of any county undertaking to make any such sale to the United States of America as well as any deed executed and delivered or hereafter executed and delivered, carrying out any such sale, and declaring an emergency."

H. B. No. 928, A bill to be entitled "An Act amending Article 4705, Article 4706, and Article 4993 and repealing Article 5006 of the Revised Civil Statutes of Texas of 1925, designating the funds and securities of which the capital stock of insurance companies incorporated under the provisions of Title 78, Chapter 2 of the Revised Civil Statutes of Texas, shall consist, designating the securities in which funds of such companies may be invested, providing certain limitations on the amount of capital stock of general casualty companies and requiring deposits to be made by such companies, and declaring an emergency."

H. B. No. 929, A bill to be entitled "An Act to prohibit cities, towns and villages from dedicating or establishing thoroughfares or public streets and or alleys through certain parks commonly known as amusement parks and to prevent general vehicular traffic through same and permitting cities, towns and villages to otherwise regulate vehicular traffic in parks; repealing all laws and parts of laws in conflict, and declaring an emergency."

H. B. No. 931, A bill to be entitled "An Act to increase the criminal jurisdiction of the 76th Judicial District Court of Morris County, transferring all criminal cases on the docket of the County Court to the docket of the District Court at the time of the passage of this Act, and to conform the jurisdiction of the County and Justice Courts of said County to such change; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 939, A bill to be entitled "An Act amending Article 6625 of the 1925 Revised Civil Statutes of Texas by adding thereto a new Article 6625a providing for the recording of certified copies of instruments effecting real estate which have been previously filed for record without the State of Texas or in counties other than those in which such real estate

is located, and declaring an emergency."

H. B. No. 912, A bill to be entitled "An Act further regulating the sale, transportation, storage, manufacturing, etc., of alcoholic beverages in this State under the Texas Liquor Control Act by repealing Subsection (d) of Section 3, Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 1 of House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature; by amending Sections 4(a), 11, 15(b), 15(c), 17, 19, 21, 29, 30, 32, 33, 35, 37, 38, 39 and 41 of Article I Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by House Bill No. 8, Acts of the Third Called Session of the Forty-fourth Legislature, and House Bill No. 432, Acts of the Revised Statutes of the Forty-fifth Legislature, House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature, and Senate Bill No. 20, Acts of the First Called Session of the Forty-fifth Legislature; amending Subsection (d) of Section 45, Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature; repealing Sections 42 and 44 of Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature as amended by House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature; amending subdivision 6 of Section 12, Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature as amended by Section 12 of House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature; amending said Act by adding to Article I thereof, Sections 43 and 44, regulating the issuance of licenses and permits and defining certain terms; amending Section 6, Article II, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 5 of House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature; amending Subsection (a), Section 7, Article II, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 50 of House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature, amending Subsection (d) and (e) of Section 7, Article II, Chapter

467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by Section 50, of House Bill No. 5, Acts of the Revised Statutes of the Forty-fifth Legislature, and as further amended by Section 13 of Senate Bill No. 20, Acts of the First Called Session of the Forty-fifth Legislature; by adding to Article II thereof a new Section to be known as Section 10½A, conferring upon cities and towns in this State the power to impose additional regulations upon the sale of alcoholic beverages; amending Section 23, Article II, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by adding thereto a new subdivision to be known as (n), allocating the revenues derived from the sale of beer; amending Section 26, Article II, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended, so as to clearly prescribe penalties for violations of said Act; making appropriations; providing a saving clause, and declaring an emergency.

H. B. No. 344, A bill to be entitled "An Act defining publication, newspaper, political sub-division, district and certain mandatory expressions; designating persons to select newspapers in which publications are to be inserted; fixing a minimum and a maximum charge for publications in newspapers; providing for the publication of notices, proclamations, advertising, and citations in newspapers; repealing conflicting provisions of Articles, 3, 29, 1154, 3311, 3334, 3808, 4204, 7206, 7276, 7342 and 7624 of the Revised Civil Statutes of Article 4115 of the Revised Civil Statutes as amended by Acts of 1935, Forty-fourth Legislature, Chapter 254, Section 1, of Acts of 1925, Thirty-ninth Legislature, Chapter 161, Sections 2 through 6, of Acts of 1933, Forty-third Legislature, First Called Session, Chapter 84, Section 1, and of Acts of 1937, Forty-fifth Legislature, Chapter 506; repealing all parts of laws in conflict; providing a rule of construction, and declaring an emergency."

H. B. No. 791, A bill to be entitled "An Act making it unlawful to take or kill by trap, snare, or deadfall any fur-bearing animals in the Counties of Harrison and Gregg; providing certain exceptions; providing the length of this Act; prescribing a penalty, and declaring an emergency."

H. B. No. 945, A bill to be entitled "An Act providing that in certain counties that whoever shall enter upon the inclosed or uninclosed land of another without the consent of the owner, proprietor or agent in charge thereof, and hunt with firearms or catch any game thereon, or thereon catch or take or attempt to catch or take any fish from any pond, lake, tank or stream on said land, or in any manner depredate upon the same, or take or attempt to take any property from the inclosed or uninclosed land of another, shall be guilty of a misdemeanor; defining what constitutes "inclosed land," and specifying that proof of ownership or lease or agency may be made by parol testimony; providing a penalty, and declaring an emergency."

H. B. No. 940, A bill to be entitled "An Act authorizing County Commissioners' Courts in all counties having a population of not less than seventeen thousand (17,000) and not more than seventeen thousand, two hundred (17,200), according to the last Federal Census, or any subsequent Federal Census, to levy an annual ad valorem tax not exceeding ten cents (10c) on the One Hundred (\$100.00) Dollar valuation of all property in such counties; said tax to be credited to the Public Improvement Fund of such counties, and to be in addition to the tax now levied for such fund; providing mode and manner of disbursing said fund; making said law cumulative of all laws now in effect in such counties with reference to levying taxes, and declaring an emergency."

H. B. No. 941, A bill to be entitled "An Act to amend House Bill No. 832, Chapter 426, of the General and Special Laws of the Forty-fifth Legislature, Regular Session, 1937, by adding six (6) new Sections to be known as Sections 10A, 10B, 10C, 10D, 10E, and 10F, to authorize the San Jacinto River Conservation and Reclamation District, a State Agency, to negotiate and deal with the United States of America or any of its agencies and/or others, to aid in securing funds to make investigations and in acquiring the necessary lands, leases, easements and/or acquitances, public structures and reservoirs suitable for the control of flood waters for the San Jacinto Watersheds declared to be a public calamity; authorizing the District to issue negotiable revenue bonds; providing that

the District shall not mortgage or otherwise encumber any of its properties, other than its revenues; providing how the District may acquire lands, leases, easements, properties and power and right of eminent domain; granting additional powers under said Act, and declaring an emergency."

H. B. No. 943, A bill to be entitled "An Act to amend Sections 1, 2, 3, 4, 6, 12, 21, 22, and to repeal Sections 5, 7, 14 and 18, of an Act relating to the bonding and licensing of dealers in citrus fruit in the State of Texas and being House Bill No. 99 of the Acts of the Forty-fifth Legislature as amended by Senate Bill No. 24 of the Acts of the First Called Session of the Forty-fifth Legislature, and declaring an emergency."

H. B. No. 948, A bill to be entitled "An Act providing for County Auditor in all counties having a population of not less than fourteen thousand, eight hundred and fifty, (14,850) and not more than fourteen thousand, nine hundred and twenty, (14,920) according to the last preceding Federal Census, or any subsequent Federal Census; prescribing duties of said Auditor; providing salary for such Auditor; prescribing mode and manner of payment of such salary, and declaring an emergency."

H. B. No. 953, A bill to be entitled "An Act amending Article 2326a of the 1925 Revised Civil Statutes of Texas (which said Article 2326a was passed by Acts, 1929, Forty-first Legislature, page 112, C. H. 56), by adding thereto a provision for expenses for court reporters in certain Judicial Districts, and declaring an emergency."

H. B. No. 954, A bill to be entitled "An Act relating to marks and brands of live stock in Chambers County, requiring that each owner of any live stock mentioned in Chapter 1 of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect, have his mark and brand for such stock recorded at the office of the County Clerk of said County; without any cost to owner and providing that such owners shall so record such marks and brands whether heretofore recorded or not and that after the expiration of six (6) months from the taking effect of this Act all rec-

ords of marks and brands now in existence in Chambers County shall no longer have any force or effect and that after the expiration of six (6) months only the records made after this Act shall be effective and considered the recorded marks and brands in said County; and further providing that the County Clerk shall publish this Act in some newspaper in general circulation in said County for a period of thirty (30) days, and declaring an emergency."

H. B. No. 955, A bill to be entitled "An Act establishing, authorizing and providing for Junior Colleges in connection with the Independent School Districts now established, or hereafter to be established and located in all counties in this State having a population of not less than thirty-four thousand, one hundred and fifty (34,150) and not more than thirty-four thousand, two hundred (34,200), according to the last Federal Census, or any subsequent Federal Census, and where the school buildings and grounds of such Independent School Districts are located, in whole or in part in a town or city having a population of not less than six thousand and forty (6,040), and not more than six thousand and seventy (6,070), according to the last Federal Census or any subsequent Federal Census; authorizing the creation and establishing by the Board of Trustees of such Independent School Districts as hereinabove defined, a Junior College. Providing the Board of Trustees of the Independent School Districts embraced within this Act shall comprise a Board of Trustees for the Junior Colleges; providing the Junior Colleges authorized herein shall be operated exclusively by tuition, and shall never become a charge against the State, or require appropriations therefrom; providing number of Departments for such Junior Colleges; providing qualifications of teachers in such Junior Colleges; providing minimum number of students in such colleges; providing minimum taxable values for such Districts; providing for enlargement of such Districts; providing for approval by the State Board of Education with the advice of the State Superintendent; providing for mode and manner of collecting taxes for such Districts; making said law cumulative of all laws and parts of laws now in force in this State with reference to the creation of Junior Colleges, and declaring an emergency."

H. B. No. 956, A bill to be entitled "An Act amending Article 1322 of the Revised Civil Statutes of the State of Texas, 1925, relating to the execution of deeds by corporations, and declaring an emergency."

H. B. No. 957, A bill to be entitled "An Act to prohibit seining, gigging, and taking fish by use of hands, or any other method other than by ordinary hook and line or set net, in any of the fresh waters of Bosque County, Texas; providing open seasons on set nets of not less than one and one-half (1½) inch mesh; providing for the taking of perch and catfish by the use of ordinary hook and line or by set nets not exceeding one and one-half (1½) inch mesh at any time; providing penalties for violation of the Act; repealing all laws and parts of laws therewith to the extent of the conflict only, and declaring an emergency."

H. B. No. 959, A bill to be entitled "An Act validating the organization of water control and improvement districts created by authority of Chapter 25, Acts of the Thirty-ninth Legislature, and amendments thereto in any county in the State of Texas having a population of not less than two hundred and fifty thousand (250,000) and not more than three hundred and ten thousand (310,000), according to the last preceding Federal Census; and validating all Acts of the officials in creating such districts; and validating all bonds issued and all bonds voted but not yet issued by such districts; validating all acts of the officials of said district, and declaring an emergency."

H. B. No. 965, A bill to be entitled "An Act declaring a certain area adjacent to the town of Rockport, Aransas County, Texas, a Wildlife Sanctuary; providing a suitable penalty for hunting thereon; repealing all conflicting laws, and declaring an emergency."

H. B. No. 968, A bill to be entitled "An Act providing for more adequate and equitable salaries for County Superintendents of Public Instruction in all those counties of Texas coming within the brackets and population figures herein, specially in all those counties having not less than twenty thousand seven hundred and ninety (20,790) and not more than twenty

thousand eight hundred and twenty-five (20,825) according to the last preceding Federal Census; modifying all laws or parts of laws in conflict herewith; making the Act cumulative of the general law; and declaring an emergency."

H. B. No. 978, A bill to be entitled "An Act amending House Bill No. 11, Acts of the Regular Session of the Forty-sixth Legislature."

H. C. R. No. 72, Granting L. L. White, his heirs, executors, and administrators permission to bring suit against the State of Texas and the Highway Commission of Texas.

H. C. R. No. 100, Authorizing the Enrolling Clerk of the House to amend the caption of H. B. No. 517 to conform to the body of the bill.

H. C. R. No. 101, Commending the President of the United States for his efforts to maintain World Peace.

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

Senate Concurrent Resolution 37

Senator Stone of Galveston, by unanimous consent, offered the following resolution:

Whereas, As finally passed by the Senate and the House, S. B. No. 410, does not contain an emergency clause; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Enrolling Clerk of the Senate be, and is hereby authorized and instructed to add the following to the caption of the bill: "and creating an emergency", and to add at the end of the bill a new section to be numbered five, to read as follows: "Section 5: The fact of the crowded condition of the calendar and the nearness of the end of the session creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be, and the same is hereby, suspended, and this Act shall take effect and be in force from and after the date specified therein, and it is so enacted."

The resolution was read; and on motion of Senator Stone of Galveston, and by unanimous consent, it was considered at this time and was adopted.

Adjournment

Senator Collie moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 4:25 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

FIFTY-THIRD DAY

(Tuesday, April 18, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Report of Standing Committee

Senator Collie submitted the following report of the Committee on Public Lands and Land Office:

Austin, Texas,

April 17, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 9, A bill to be entitled "An Act amending Section 6 of Section 8 of House Bill No. 358, being Chapter 271 of the Acts of the Forty-second Legislature, Regular Session, Page 452, (1931); defining "Commissioner"; defining "Good Faith Claimant" or "Claimant"; defining "Vacancy"; defining "Applicant"; describing and providing for procedure, terms, and conditions upon which vacancies may be applied for, sold, and leased; providing for preference rights to purchase or lease by claimant and providing for preference rights or alternative royalty rights to applicants for vacancies; prescribing procedure to be followed by Commissioner in instances where vacancies are filed upon; providing for findings by the Commissioner; invalidating pending applications to purchase or lease vacancies under prior laws unless same are already granted, or are involved in pending litigation or unless certain steps are taken by applicants; providing for suits and venue thereof in cases where persons, firms, or corporations are aggrieved by any action of Commissioner; providing which lands are subject to lease under Section 8; providing for purchase of and payment for excess land and deed of acquittance by State; providing that this Act shall not affect rights that have accrued under prior laws and are involved in litigation; declaring that all laws in conflict herewith are repealed; providing if any part of this Act is held unconstitutional the balance hereof shall be upheld; providing for the filing of copies of leases in General Land Office; fixing the effective date of the Act; and declaring an emergency."

Have had the same under consideration, and I am instructed to report back to the Senate with the recommendation that it do pass and be printed.

COLLIE, Chairman.

Senate Bill on First Reading

By unanimous consent, the following bill was introduced, read first time, and referred to the committee indicated:

By Senator Burns:

S. B. No. 435, A bill to be entitled "An Act, authorizing the Commissioners' Court in certain counties, al-